



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 7, 1992

Mr. Kelly Frels
Bracewell & Patterson
Attorney's for the San Jacinto College District
2900 South Tower Pennzoil Place
Houston, Texas 77002-2781

OR92-52

Dear Mr. Frels:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252- 17a, V.T.C.S. Your request was assigned ID# 13387.

You have received a request for "[c]opies of all bills which are directly or indirectly related to legal services for the San Jacinto College Police Department, including but not limited to the bills for arbitration for grievances and disciplinary matters, counselling, and review of the proposed rules manual." You claim that some of the requested information is excepted from required public disclosure under sections 3(a)(1) and 3(a)(7) of the Open Records Act.

Although this office has frequently cited section 3(a)(1) to except from required public disclosure information within the attorney-client privilege, the privilege is more specifically covered under section 3(a)(7). Open Records Decision No. 574 (1990). Section 3(a)(7) protects

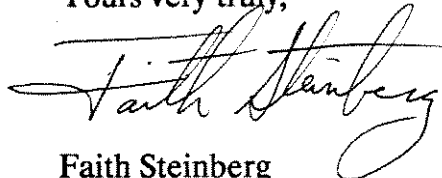
matters in which the duty of the Attorney General of Texas or an attorney of a political subdivision, to his client, pursuant to the Rules and Canons of Ethics of the State Bar of Texas are prohibited from disclosure, or which by order of a court are prohibited from disclosure. (Footnote omitted.)

Attorney-client communications, however, may be withheld only to the extent that such communications document confidences of governmental representatives or reveal the attorney's legal opinion and advice. Open Records Decision No. 574 at 3. Records of calls made, meetings attended, or memos sent, so long as no legal advice or client confidences are revealed, may not be excepted under section 3(a)(7). *Id.*

You have submitted to us for review three invoices which you advise are responsive to the request for information. You have marked those portions of the invoices which you claim are excepted by sections 3(a)(1) and 3(a)(7) as information deemed confidential by the attorney-client privilege. We have examined the marked material and agree that it constitutes legal opinion and advice or client confidences. Accordingly, the information may be withheld under section 3(a)(7) of the Open Records Act.

Because case law prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-52.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Faith Steinberg", written in dark ink.

Faith Steinberg
Assistant Attorney General
Opinion Committee

FS/GK/lcd

Ref.: ID#s 13387, 13505

Enclosures: Open Records Decision No. 574

cc: Ms. Lynwood Moreau
222 E. Second Street
Deer Park, Texas 77536